



State of Florida
Department of Children and Families

Rick Scott
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Office of Inspector General

Enhancing Public Trust in Government

REDACTED

Investigative Report

2012-0131

June 27, 2013

Christopher T. Hirst
Inspector General

Keith R. Parks
Chief of Investigations

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accountability and integrity of State Government."***



Mission: Protect the Vulnerable, Promote Strong and Economically Self-Sufficient Families, and
Advance Personal and Family Recovery



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DEPARTMENT OF CHILDREN AND FAMILIES

OFFICE OF INSPECTOR GENERAL

Investigative Report
Case Number: 2012-0131



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Inspector General

INTRODUCTION

The Department of Children and Families (Department) is authorized through §409.1671, Florida Statutes (F.S.) to contract for foster care and related services. The Department contracts with ChildNet, Inc., through Contract #JJ212 (effective July 1, 2009 through June 30, 2014), to serve as the lead Community-Based Care (CBC) agency and provide these services in Circuit 17 (Broward County).

On December 12, 2012, the Office of Inspector General (OIG) received a complaint from Pembroke Pines Police Department (PPPD) Detective Michael Silver. According to Detective Silver, his agency was investigating a sexual battery involving 15-year-old ChildNet, Inc. client [REDACTED] (the Child) that occurred on December 10, 2012 at approximately 12:00 a.m. In a letter to the OIG, Detective Silver wrote that he contacted ChildNet, Inc. Adoption Advocate Evelyn Enim later that same date to provide assistance with the Child as she (the Child) was “a victim of sexual battery and needed someone to respond to be apart [sic] of this process” and that she (the Child) needed clean clothes and food. Detective Silver said that Ms. Enim failed to respond to these requests to provide assistance with the care of the Child.

Based on the information provided by Detective Silver, the OIG initiated an investigation.

ALLEGATION AND FINDINGS

Allegation

ChildNet, Inc. Adoption Advocate Evelyn Enim was negligent in her duties by failing to assist law enforcement with the care of the Child. If supported, the allegation would constitute a violation of Attachment I, Section A. 2. a., Contract #JJ212 between the Department and ChildNet, Inc.; and ChildNet, Inc. Policy Number CN 009.049 (i.) and (t.).

Findings

The information obtained ***does not support*** the allegation.

Testimony of Pembroke Pines Police Department Detective Michael Silver

¹ According to Detective Silver's letter to the OIG, this incident was not reported to law enforcement until approximately 7:00 a.m. on December 10, 2012.

During interviews² conducted by the OIG Investigator, Detective Silver reported in substance the following:

He contacted Ms. Enim on December 10, 2012, at approximately 1:00 p.m., prior to taking the Child to the Nancy J. Cotterman Center (NCC)³ for a forensic sexual assault examination. Ms. Enim said she was unable to respond to the NCC (reasons unknown). However, Ms. Enim requested that he drop off the Child at either the ChildNet, Inc. office or foster parent Christie Cumbie's residence, after the forensic sexual assault examination was completed.

After he and the Child arrived at the NCC, NCC staff members (identities unknown) told him that a legal guardian needed to be present while the forensic sexual assault examination was conducted. Ms. Enim was contacted and advised by NCC Nurse Practitioner Halima Goodwin that a legal guardian needed to be present while the Child was examined. NCC staff (identities unknown) had also advised that Ms. Enim was told the Child needed clean clothes and food. Ms. Goodwin told him that Ms. Enim refused to come to the NCC to accompany the Child during her examination. Ms. Enim instead faxed over an authorization for the Child to be examined.⁴

There were no other interactions with Ms. Enim after she failed to respond to the NCC. He then contacted Ms. Enim's supervisor (identity unknown)⁵ and advised her of the situation involving the Child. Ms. Cumbie subsequently came to the PPPD station and took custody of the Child at approximately 6:00 p.m. on December 10, 2012.

OIG Review of Pembroke Pines Police Department Agency Report #2012-098390

A review of the PPPD report, completed by Detective Silver, revealed that he did not document any of his contacts with Ms. Enim.

OIG Review of ChildNet, Inc. Adoption Advocate Job Description Document⁶

The job description for "Adoption Advocate" contains the following information:

"Responsibilities:

- Accompanies and assists the foster or adoption parents as they begin to resolve problems, overcome obstacles and access specific services, e.g. court documents, case plans, by:
 - Recognizing, respecting, and responding to the unique, culturally-defined needs of others served."

² Interviews were conducted with Detective Silver on February 18, 2013 and February 19, 2013.

³ According to their website, the NCC "provides a safe, non-threatening environment for victims and supportive family members. Services are intended to assist in matters of public safety, to help families understand what has happened and to aid in their recovery."

⁴ Detective Silver said that Ms. Cumbie was also contacted to respond but that she (Ms. Cumbie) said that she did not want to leave work.

⁵ Later identified as ChildNet, Inc. Adoption Supervisor Eneather Murray.

⁶ According to ChildNet, Inc. Director of Talent Management Lawrence Plaza, ChildNet, Inc.'s records reflected that after Ms. Enim was transferred to the Adoption Unit on July 19, 2010, an Adoption Advocate job description document was sent to her and her supervisor. However, Ms. Enim failed to return a signed copy.

OIG Review of Nancy J. Cotterman Center Documents

A review of the documents revealed the following information:

- On a page titled "Consent for Examination by Patient/Parent/Guardian," it was written "Consent Over-Telephone." In the "Parent/Legal Guardian Signature" section of the same page, it was written "Childnet Adv. Evelyn Enim provided consent over telephone @⁷ 2:02P" and dated December 10, 2012. An illegible signature was written in the "Witness (SATC⁸ staff signature)" section and dated December 10, 2012.⁹
- The assault was documented as having occurred on December 10, 2012 at approximately 12:00 a.m. The forensic examination was noted as being conducted later that same date at 2:30 p.m. It was noted by Nancy J. Cotterman Center Nurse Practitioner Halima Goodwin that the Child had drank and eaten since the assault had occurred.
- The Child's clothing was described in the "Condition of Clothing" section as "Bloody Item(s)." The Child wore the clothing to the NCC and it was documented that her clothing was collected as evidence.

Testimony of Nancy J. Cotterman Center Nurse Practitioner Halima Goodwin

During an interview conducted by the OIG Investigator, Ms. Goodwin reported in substance the following:

On December 10, 2012, she conducted a forensic sexual assault examination on the Child. She and NCC Crisis Intervention Counselor (CIC) Ladez Watkins were the NCC staff members that attended to the Child's care while she was at the NCC. She did not remember whether the Child needed clean clothes or food.

She did not speak with anyone from ChildNet, Inc. regarding the Child. She did not recall any situations when she has spoken with child welfare workers by telephone. Any communication with child welfare workers over the telephone would be done by the CIC. She did not know why Detective Silver and Ms. Watkins advised that she spoke with Ms. Enim. She claimed only Ms. Watkins would have had a reason to speak with Ms. Enim.

Testimony of Nancy J. Cotterman Center Crisis Intervention Counselor Ladez Watkins

⁷ Abbreviation for "at."

⁸ The NCC was formerly known as the Broward County Sexual Assault Treatment Center (SATC). It was renamed the NCC on January 31, 2013.

⁹ NCC Crisis Intervention Counselor Ladez Watkins verified the signature in "Witness (SATC staff signature)" as being her signature.

During an interview conducted by the OIG Investigator, Ms. Watkins reported in substance the following:

It is not required for a legal guardian or parent to be present during the forensic sexual assault examination of a minor. She accompanied the Child during her forensic sexual assault examination as Ms. Enim was unable to come to the NCC (reasons unknown). On December 10, 2012 at approximately 2:02 p.m., she spoke with Ms. Enim by telephone and obtained authorization for the Child to be treated. This is a common practice when the legal guardian or parent is unable to be present.

Her telephone call with Ms. Enim only consisted of her obtaining consent for the Child to be examined. Ms. Enim was not advised that the Child needed clean clothes and/or food. Because the Child's clothing was collected as evidence, she (the Child) would have been provided clothing by the NCC. Ms. Goodwin also spoke with Ms. Enim, but she was unaware if any other NCC staff spoke with Ms. Enim.

Testimony of ChildNet, Inc. Adoption Supervisor Eneather Murray

During an interview conducted by the OIG Investigator, Ms. Murray reported in substance the following:

She did not recall being contacted by anyone from law enforcement regarding the Child on December 10, 2012. Ms. Enim advised her that the Child had allegedly been sexually assaulted and received treatment as a result of that alleged assault. Ms. Enim also told her that Ms. Cumbie had been notified and was going to pick up the Child.

She was unaware that Ms. Enim had been requested to accompany the Child at the NCC. If she had known this, Ms. Enim would have been required to go to the NCC or make arrangements for someone else to be present, such as Ms. Cumbie or another ChildNet, Inc. employee. However, this would only be a "best practice" directive unrelated to documented ChildNet, Inc. policies.

Testimony of ChildNet, Inc. General Counsel Derrick Roberts

During an interview conducted by the OIG Investigator, Mr. Roberts reported in substance the following:

There are no policies or procedures directing ChildNet, Inc. employees on how to respond when their assistance is requested by law enforcement.

OIG Review of ChildNet, Inc. Policy and Procedures

The review revealed that there are no policies or procedures directing ChildNet, Inc. employees on how to respond when their assistance is requested by law enforcement.

Testimony of ChildNet, Inc. Adoption Advocate Evelyn Enim

During an interview conducted by the OIG Investigator, Ms. Enim reported in substance the following:

During the morning of December 10, 2012 (exact time unknown), she was contacted by Ms. Cumbie. Ms. Cumbie advised that the Child had reported to a friend that she (the Child) had been sexually assaulted after running away from her foster home. She spoke with PPPD Detective Silver, who advised that he was taking the Child to the NCC.

A NCC staff member (identity unknown) subsequently called her and asked if she would be able to come to the NCC immediately to give consent for the Child to be examined. She was unable to respond to the NCC as she was in her office with either ChildNet, Inc. client [REDACTED] (Child 2) or ChildNet, Inc. client [REDACTED] (Child 3).¹⁰ However, she was able to provide consent by telephone. NCC staff did not provide any additional information nor make any other requests of her.

Detective Silver called her on a second occasion later that afternoon (exact time unknown) and at that time, she requested that he bring the Child to the ChildNet, Inc. office. However, Detective Silver advised that he was taking the Child back to the PPPD station. She told him that Ms. Cumbie lived near that location and would pick up the Child from his office. Detective Silver called her on a third occasion that same date and advised that Ms. Cumbie had not arrived. He then advised her that the Child needed clean clothes and food. This was the first time she was advised that the Child needed these items. She would have been able obtain these items had the Child been brought to the ChildNet, Inc. office as initially requested.

INSPECTOR GENERAL'S COMMENTS

Based on witness testimony and records reviewed, the allegation that ChildNet, Inc. Adoption Advocate Evelyn Enim was negligent in her duties by failing to assist law enforcement with the care of the Child is **not supported**. According to testimony from Nancy J. Cotterman Center (NCC) Crisis Intervention Counselor Ladez Watkins, Ms. Enim provided the authorization that was needed for the Child to be examined by NCC staff and she was not requested to take any other action. Additionally, both ChildNet, Inc. Adoption Supervisor Eneather Murray and ChildNet, Inc. General Counsel Derrick Roberts reported there is not a policy that mandates how ChildNet, Inc. employees should respond to requests for assistance by law enforcement.

This investigation revealed that there is currently no ChildNet, Inc. policy governing responsiveness by staff to legitimate requests for assistance by law enforcement or other outside agencies when involving ChildNet, Inc. clients. Therefore, it is recommended that the Southeast Regional Managing Director review this report, provide a copy of the investigation to the management of ChildNet, Inc., and request that ChildNet, Inc. consider creating such policy.

¹⁰ According to Florida Safe Families Network (FSFN), Ms. Enim did not document any contacts in FSFN with Child 3 on December 10, 2012. Additionally, though Child 2 had turned 18 years old on November 19, 2012, and was no longer her client, Ms. Enim stated that she assisted Child 2 with obtaining medication as she (Child 2) was receiving transitional services through ChildNet, Inc. but had been unable to get assistance from anyone else at ChildNet, Inc.

In compliance with §20.055 (6)(e), Florida Statutes, a copy of this report was provided to Ms. Enim on May 29, 2013. In an e-mail sent to the OIG by Ms. Enim on June 18, 2013, she indicated the following:

My name is Evelyn Enim. I received a letter from your office regarding the above case. The letter advised that if I did not wish to comment on the investigative findings contained in the letter, to please contact your office as soon as possible...I am electing not to comment on the investigative findings.

This investigation has been conducted in accordance with the ASSOCIATION OF INSPECTORS GENERAL Principles & Quality Standards for Investigations.